

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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DR. MORGAN REYNOLDS on behalf of the UNITED  
STATES OF AMERICA,  
Plaintiff/Relator,  
v.  
SCIENCE APPLICATIONS INTERNATIONAL  
CORP.; APPLIED RESEARCH ASSOCIATES INC.;  
BOEING; NuSTATS; COMPUTER AIDED  
ENGINEERING ASSOCIATES, INC.;  
DATASOURCE, INC.; GEOSTAATS, INC.;  
GILSANZ MURRAY STEFICEK LLP; HUGHES  
ASSOCIATES, INC.; AJMAL ABBASI; EDUARDO  
KAUSEL; DAVID PARKS; DAVIS SHARP;  
DANIELE VENEZANO; JOSEF VAN DYCK;  
KASPAR WILLIAM; ROLF JENSEN &  
ASSOCIATES, INC.; ROSENWASSER/GROSSMAN  
CONSULTING ENGINEERS, P.C.; SIMPSON  
GUMPERTZ & HEGER, INC.; S.K. GHOSH  
ASSOCIATES, INC.; SKIDMORE, OWINGS &  
MERRILL, LLP; TENG & ASSOCIATES, INC.;  
UNDERWRITERS LABORATORIES, INC.; WISS,  
JANNEY, ELSTNER ASSOCIATES, INC.;  
AMERICAN AIRLINES; SILVERSTEIN  
PROPERTIES; and UNITED AIRLINES,  
Defendants.

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Case No. 07CV4612 (GBD)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that, upon the accompanying declaration of Patricia B. Gary, Esq., defendants Simpson Gumpertz & Heger, Inc. (“SGH”) and Computer Aided Engineering Associates, Inc. (“CAE”) hereby adopt and join the argument set forth in the motion to dismiss submitted by co-defendant Applied Research Associates, Inc. (“ARA”) that Section 3730(b)(5) of the False Claims Act (“FCA”) bars the FCA claims set forth in the *qui tam* Complaint of Dr. Morgan Reynolds (the “Reynolds Suit”) because they rely on the same facts and mirror the allegations in *United States ex rel. Dr. Judy Wood v. Applied Research Assoc., Inc.*, No. 07 Civ. 3314 (GBD) (S.D.N.Y. filed April 25, 2007) (the “Wood Suit”). For the reasons stated in ARA’s motion to dismiss, SGH and CAE request that this Court dismiss the *qui tam* Complaint of Dr. Morgan Reynolds in its entirety, with prejudice, pursuant to Section 3730(b)(5) of the FCA.

Respectfully submitted,

**SIMPSON GUMPERTZ & HEGER, INC. and  
COMPUTER AIDED ENGINEERING  
ASSOCIATES, INC.**

By its attorneys,

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/s/ Patricia B. Gary

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Dated: New York, New York  
January 25, 2008

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